



KNIGHTDALE TOWN COUNCIL MINUTES

950 Steeple Square Court, Knightdale, North Carolina 27545

May 18, 2011

The Knightdale Town Council met at 7:00 p.m. at Knightdale Town Hall, 950 Steeple Square Court, Knightdale, North Carolina.

PRESENT: Mayor Russell Killen, Mayor Pro Tem Mike Chalk;
Councilors Jeff Eddins, Terry Gleason, Tim Poirier, and
James Roberson.

ABSENT: No one.

Staff Members Present: Clyde Holt, Town Attorney; Seth Lawless, Town Manager;
Suzanne Yeatts, Town Clerk/HR Director; Chris Hills,
Planning Director; Jeff Triezenberg, Senior Planner; Jimmy
Overton, Finance Director; Tracy Pedigo, Public Works
Director; Shiela Hardin, Purchasing Agent; Shawn Brown,
Public Safety Director.

Meeting called to order by Mayor Killen at 7:01 p.m.

WELCOME

Welcome by Mayor Killen.

INVOCATION

Invocation by Councilor Roberson.

ITEM I. ADOPTION OF AGENDA

...Motion by Councilor Eddins to adopt the agenda with the following amendment:

**ADD: Panther Rock Site Development Agreement to Item VIII.
Town Attorney**

Motion seconded by Councilor Gleason and carried unanimously.

ITEM II. APPROVAL OF MINUTES

March 7, 2011
March 16, 2011
April 4, 2011

...Motion by Mayor Pro Tem Chalk to approve the minutes of March 7, 2011; March 16, 2011; April 4, 2011. Motion seconded by Councilor Eddins and carried unanimously.

ITEM III. PRESENTATIONS, RECOGNITIONS, AWARDS

None at this time.

ITEM IV. PUBLIC

Anyone may speak on an issue not included on tonight's agenda. Before speaking, please state your name and address.

A. Open to the Public

No one approached.

B. Report on Citizen Inquiries

None at this time.

ITEM V. CONSENT AGENDA

Nothing at this time.

ITEM VI. ACTIONS REQUIRING PUBLIC HEARINGS

If you anticipate speaking during a public hearing at tonight's meeting, print your name and address on the form at the entry table. You must speak from the podium to assure accurate record of testimony. Large groups are asked to designate a spokesperson. If the Mayor announces that the hearing is a quasi-judicial public hearing, all speakers must be administered an oath by the Town Attorney.

A. Poplar Creek Village UAA Amendment

Public hearing opened at 7:04 p.m.

Chris Hills, Planning Director, presented a revised utility allocation agreement at the request of Poplar Creek Village developer, David Menaker.

Mr. Hills answered questions from Council regarding the existing agreement and how the proposed changes would impact the existing homes.

David Menaker, 7416 Poole Road, Knightdale, distributed a document that included his original request for the UAA amendment in attempt to clarify that the minimum home sales price be reduced to \$182,000 for the entire first phase of the subdivision in lieu of the fifty lots as indicated in the UAA being considered by Council.

Jeff Shiley, representing Mungo Homes, reiterated the need to amend the agreement to reflect current market conditions and explained that the lower sales price is intended as a base price.

No one else approached.

...Motion by Councilor Eddins to close the public hearing at 7:19 p.m. Motion seconded by Councilor Poirier and carried unanimously.

Councilor Gleason disclosed that Holly Homes is one of his clients.

...Motion by Mayor Pro Tem Chalk to reopen the public hearing at 7:22 p.m. Motion seconded by Councilor Poirier and carried unanimously.

Mr. Hills explained that the \$182,000 price floor in the amended UAA would apply only to the fifty lots that Mungo Homes has under contract and that the homes to be constructed would be limited to the five plans in Exhibit E of the agreement, which can only be built by Mungo Homes.

Mr. Menaker added that he has no intent to sell the six lots retained by Holly Homes to another builder and would like to build his home plans with the \$182,000 price base.

Mr. Hills pointed out that the amended agreement would still allow Holly Homes to build on the lots, but the \$182,000 price floor would not be honored for those lots.

...Motion by Councilor Eddins to close the public hearing at 7:26 p.m. Motion seconded by Councilor Poirier and carried unanimously.

...Motion by Councilor Eddins to adopt the second amendment to the Poplar Creek Village Subdivision Reimbursement Agreement. Motion seconded by Councilor Roberson and carried unanimously.

B. Water Allocation Policy Update

Public hearing opened at 7:27 p.m.

Planning Director Chris Hills presented proposed changes to the current Water Allocation Policy explaining that there were three major changes proposed. These changes include establishing a minimum housing type threshold for minor/family subdivisions, incentivizing the development of apartment complexes around Activity Centers as identified in the Comprehensive Plan, and incentivizing Historic Structure Preservation as part of new development projects.

No one approached.

Town Attorney Clyde Holt recommended clarifying the definitions for all of the project types that include the term mixed-use within the policy to assist staff and the development community in applying the policy.

Council agreed to have staff make the clarifications as suggested by the Town Attorney.

...Motion by Councilor Gleason to close the public hearing at 7:34 p.m. and refer the Water Allocation Policy Amendment to the June 13, 2011 Land Use Review Board meeting. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

ITEM VII. SET PUBLIC HEARINGS

FY2012 Budget

Finance Director Jimmy Overton requested that Town Council set the date of a public hearing on the proposed fiscal year 2012 budget for June 6, 2011.

...Motion by Mayor Pro Tem Chalk to set public hearing on the Proposed Budget for the Fiscal Year Ending June 30, 2012 for Monday, June 6, 2011 at 7:00 p.m. Motion seconded by Councilor Roberson and carried unanimously.

ITEM VIII. TOWN ATTORNEY

Panther Rock Site Development Agreement

Town Attorney Clyde Holt noted that the Cheswick Subdivision was in the process of being sold and the Town previously approved authorization of the Panther Rock Development Agreement to Standard Pacific Homes. Mr. Holt reported that Standard Pacific is no longer purchasing the subdivision and

instead recommended assigning the current agreement to Cheswick Homes, LLC. Mr. Holt further noted that the developer would likely be moving forward with a request to modify the Development Agreement in the coming months.

...Motion by Mayor Pro Tem Chalk to approve the assignment of the development agreement for Panther Rock Subdivision to Cheswick Homes, LLC. Motion seconded by Councilor Gleason and carried unanimously.

ITEM IX. OLD BUSINESS

A. ZMA-1-11 Town Park Rezoning
ORD #11-05-18-001

Jeff Triezenberg, Senior Planner, reviewed the zoning map amendment to rezone approximately 69.85 acres located east of First Avenue and north of the North Carolina Railroad tracks from Neighborhood Mixed Use (NMU), Residential Mixed Use (RMU) and Urban Residential (UR12) to Open Space Preserve (OSP).

Mr. Triezenberg recommended adoption of an advisory statement, approval of ZMA-1-11, and adoption of Ordinance #11-05-18-001.

...Motion by Councilor Poirier to adopt statement of plan consistency and reasonableness of action, approve ZMA-1-11 and adopt Ordinance #11-05-18-001. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

B. ZMA-2-11 Extended ETJ Zoning
ORD #11-05-18-002

Planner Jeff Triezenberg reviewed the zoning map amendment to rezone approximately 2,706 acres in the newly extended ETJ noting two amendments to the original request concerning the Puryear and Cozart tracts.

Mr. Triezenberg presented staff's recommendation to adopt the statement regarding plan consistency and reasonableness of action, approve ZMA-2-11 with the two amendments for the Puryear and Cozart tracts to be Rural Residential (RR1) and adopt Ordinance #11-05-18-002.

...Motion by Councilor Gleason to adopt statement of plan consistency and reasonableness of action, approve ZMA-2-11 as amended and adopt Ordinance #11-05-18-002. Motion seconded by Mayor Pro Tem Chalk and carried unanimously.

ITEM X. NEW BUSINESS

A. I-540 Interchange Landscape Maintenance

Purchasing Agent Shiela Hardin presented bid documents for the I-540 Interchange Maintenance Agreement and recommended G. B. Hopkins, Inc. as the lowest responsible bidder at \$26,000.

...Motion by Councilor Roberson to award the I-540 Landscape Maintenance Bid to G. B. Hopkins, Inc. in the amount of \$26,000 and authorize the Town Manager to execute contract as finalized by the Town Attorney. Motion seconded by Councilor Eddins and carried unanimously.

B. CLH Park Design Fee Amendment

Mayor Killen announced the YMCA's intent to build a facility in Knightdale and the need to modify CLH's contract in the amount of \$15,000 to make changes to the park design.

...Motion by Councilor Gleason to accept the proposal from CLH Design to incorporate changes to the Park Master Plan. Motion seconded by Councilor Poirier and carried unanimously.

ITEM XI. OTHER BUSINESS

None at this time.

ITEM XII. COMMITTEE REPORTS

A. Planning and Engineering
No report.

B. Finance
No report.

C. Public Safety
Councilor Eddins reported that a check will be presented by Congressman Brad Miller for a grant for volunteer fire fighters and also that eleven new EMTs have completed training.

Mayor Killen commented on the improved professionalism of the department.

D. Nominating
No report.

E. Liaison Reports
No report.

Mayor Killen announced the May 26, 2011 meeting of Knightdale Education 100 group would include presentations by SAS Institute and Dudley Flood and encouraged attendance.

Mayor Killen reminded everyone to vote for Scotty McCreery of Garner on American Idol.

Mayor Killen announced that Denise Sherman would be leaving the Eastern Wake News and thanked her for her service.

Town Manager Seth Lawless announced the Census information meeting to be held May 24, 2011 with Mayor Killen and Planner Jeff Triezenberg presenting.

ITEM XIII. CLOSED SESSION FOR LEGAL OR PERSONNEL MATTERS

ITEM XIV. ADJOURNMENT

...Motion by Councilor Poirier to adjourn at 8:02 p.m. Motion seconded by Councilor Eddins and carried unanimously.



Mayor Russell B. Killen



Town Clerk Suzanne M. Yeatts